IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23990 of 2004

Between:

Meesala Venkataiah, S/o Chittaiah, Fair Price Shop Dealer,

N. Annaram Village,Penpahad Mandal, Nalgonda District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Suryapet, Nalgonda District.
2 The Mandal Revenue Officer, Penpahad Mandal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus , to declare the impugned Notification dt. 3-11-2004 bearing No. D/1562/04 issued by the1st respondent as illegal, arbitrary, unconstitutional and against to the principles of natural justice, besides violative of Articles 19 and 21 of the Constitution of India and consequently set aside the same, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.PALLENAGESHWAR RAO

Counsel for the Respondents 1 and 2: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER :

The petitioner challenges the notification dated 03-11-2004 issued by the first respondent inviting applications for appointment of a fair price shop dealer for N.Annaram village. Several grounds are urged on behalf of the petitioner.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

It is not in dispute that the petitioner was appointed as a temporary dealer. By its very nature, such an appointment is to hold good till a dealer is appointed on regular basis. The impugned notification is issued for the purpose of selecting a dealer on regular basis. The petitioner does not have any right to continue as dealer inasmuch as his appointment was only on temporary basis.

Hence, the writ petition is disposed of leaving it open to the first respondent to proceed with the selections. It is, however, made clear that if there are no serious allegations against the petitioner, he shall be continued as a temporary dealer till a regular dealer is selected. No order as to costs.

27-12-2004

Note: Issue C.C. by three days

(B/o)

kdl

To

1 The Revenue Divisional Officer, Suryapet, Nalgonda District.
2 The Mandal Revenue Officer, Penpahad Mandal, Nalgonda District.

3 Two C.Cs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad, (OUT).

4 Two C.D. Copies.